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September 28, 2004

from **JAMES E. BEYER**

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To: Shouxiang Hu - Examiner**Firm:** U.S. Patent and Trademark Office**Fax Number:** 703/872-9306**Client Number:** BAT 0063 PA/40078.243**Pages:** 2
(including cover)**Comments:** Re: U.S. Patent Application Serial No. 10/658,105 filed September 9, 2003
for **MULTI-BARRIER PHOTONIC HETEROSTRUCTURES**
Our Docket BAT 0063 PA/40078.243 - Your Ref. 22138(1) US**RECEIVED**
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OFFICIAL**OFFICIAL****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Application of**

Applicant : James E. Toney
Serial No. : 10/658,105
Filed : September 9, 2003
Title : MULTI-BARRIER PHOTONIC HETEROSTRUCTURES
Docket : BAT0063PA/40078.243
Examiner : Shouxiang Hu
Art Unit : 2811

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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James E. Beyer 39,564
Reg. No.

Sir:

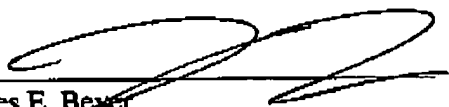
Response to Restriction/Election Requirement

This paper is being filed in response to the Office Action of September 23, 2004.
Applicant hereby elects for substantive examination, the invention of group I (claims 1-30, 33-43
and #6).

The Examiner is encouraged to contact the undersigned to resolve efficiently any formal
matters or to discuss any aspects of the application or of this response. Otherwise, early
notification of allowable subject matter is respectfully solicited.

Respectfully submitted,

DINSMORE & SHOHL L.L.P.

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